

EXHIBIT “A”

SEE PROBABLE CAUSE HEARING

60TH., JUDICIAL DISTRICT COURT, OCT., 31ST., 2008

**FOR A CERTIFIED, TRUE, ACCURATE
TRANSCRIPTION OF JAMES DAVIS’ TESTIMONY**

1 STATE OF MICHIGAN

2 SIXTIETH DISTRICT COURT (MUSKEGON COUNTY)

3
4 THE PEOPLE OF THE STATE OF MICHIGAN,

5 v

District Court File
Number: 08-105995-FY

6 ROGER DALE ROBERTS,

7 Defendant.

8
9 COMPLAINT AND WARRANT AUTHORIZATION

10 BEFORE MAGISTRATE MICHAEL VANEPPS

11 Muskegon, Michigan - Friday, October 31, 2008

12
13 APPEARANCES:

14 For the People: None.

15 For the Defendant: None.

16
17 Recorded by: MAGISTRATE MICHAEL VANEPPS

18 Transcribed by: VALERIE ALCORN (CER-6232)
19 Certified Electronic Court Reporter
20 (231) 724-6349

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25 VALERIE ALCORN CER6232

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60TH DISTRICT COURT
MUSKEGON, MICHIGAN

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WITNESSES: PEOPLE

PAGE

OFC. JAMES DAVIS
Norton Shores Police Department

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WITNESSES: DEFENDANT

None.

EXHIBITS:

IDENTIFIED

RECEIVED

None.

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60TH DISTRICT COURT
MUSKEGON, MICHIGAN

1 Muskegon, Michigan

2 Friday, October 31, 2008 at 3:31 p.m.

3 MAGISTRATE VANEPPS: Do you solemnly swear or affirm
4 to tell the truth, the whole truth and nothing but the truth,
5 so help you?

6 OFFICER DAVIS: I do.

7 OFFICER JAMES DAVIS

8 Sworn by the Magistrate at 3:31 p.m., testified:

9 MAGISTRATE VANEPPS: 08-105995-FY, People of the
10 State of Michigan versus Roger Roberts. One count of Child
11 Sexual Abusive Activity with a Habitual Fourth.

12 THE WITNESS: Officers were dispatched to meet with
13 the victim and her mother at the hospital to alleged sexual
14 assault by Mr. Roberts. Mr. Roberts is the owner of Power
15 House Gym. He ran an add in the paper for a model. The
16 victim responded to the add. She is 17-years-old. He
17 gave her a pass to use the gym, free tanning to tan and
18 advised her he would be taking pictures of her clothed and
19 nude. She met with him at his house. She was 17-years-old
20 at the time. He told her and her parents that photographs
21 couldn't be released until she was 18, so he would just hang
22 on to them until then. Meets her at the house. Once there,
23 he begins taking pictures of her. She takes off her top -
24 says she's not comfortable doing this. He tells her she needs
25 to relax. Goes up to her, drops his pants, sticks his penis

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1 and his genitals in her face forcing her to have oral sex --
2 perform oral sex on him. She tells him, "Please stop." He
3 tells her she needs to relax - this is how she's going to make
4 it in the business. He then gets her on the bed. She's
5 face down on the bed - he penetrates her vaginally from
6 behind. She tells him, "Please get off me. Stop. This isn't
7 right." He says, "You got to get used to this for the
8 business." Takes his cellphone camera out and takes small
9 video clips of him doing this - penetrating her and having
10 sexual relations with her. Tells her he could use these for a
11 demo tape for her, but again won't release them until she's
12 18. This goes on. She ends up leaving. Tells her parents.
13 They do the rape kit to see if she had sex, which it does show
14 the sexual -- that she had had sex. He admitted to doing
15 these things, but says he felt it was consensual, she wanted
16 the nude photographs and pornography, so he was just there as
17 the photographer doing it and had told her and her parents
18 that this often happens between the photographer and the
19 model. He has three prior felonies in Muskegon County for
20 building violations and builder contract violations.

21 MAGISTRATE VANEPPS: Okay. I find probable cause to
22 exist and will therefore sign the warrant as written.

23 (Proceedings were concluded at 3:33 p.m.)
24
25

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1 STATE OF MICHIGAN)

2)

3 COUNTY OF MUSKEGON)

4

5 I certify that this transcript, consisting of 5 pages,
6 is a complete, true, and correct transcript of the
7 proceedings and testimony taken in this case on Friday,
8 October 31, 2008.

9

10

11 February 13, 2015
12 Date

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Valerie Alcorn (CER-6232)
Certified Electronic Reporter
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